

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMERICAN HONDA MOTOR CO., INC.,

Plaintiff,

v.

THE COAST DISTRIBUTION SYSTEM,  
INC.,

Defendant.

No. C 06-04752 JSW

**ORDER SETTING TELEPHONIC  
HEARING ON COAST'S MOTION  
TO CONTINUE CLAIM  
CONSTRUCTION BRIEFING OR  
ORDER COMPLIANCE AND  
GRANTING MOTION TO HEAR  
MATTER ON SHORTENED TIME**

The Court has received the Motion to Extend Deadlines for Claim Construction Briefing Pending Honda's Compliance With Court Order, or in the Alternative to Order Compliance by August 30, 2007 filed by Defendant The Coast Distribution System, Inc. ("Coast"). This matter is fully briefed and ripe for resolution. Accordingly, Coast's motion to hear this matter on shortened time (Docket No. 87) is GRANTED.

The parties shall appear for a telephonic hearing on August 29, 2007 at 1:45 p.m. Counsel for each side shall contact the Court's Courtroom Deputy, Jennifer Ottolini, to provide her with a landline on which counsel can be reached by no later than 9:00 a.m. on August 29, 2007.

**The Court does not intend the parties to re-argue the positions set forth in their brief, nor shall they submit any additional authorities on this issue. Rather, the parties shall be prepared to address the following questions:**

1. In its reply brief, Coast asserts that Honda has not yet set forth preliminary infringement contentions as to "the KG144 and KG 158 engines." Does Honda

1 dispute that assertion? If so, where in the Preliminary Infringement Contentions  
2 can the Court find a reference to those specific engine numbers?

- 3 2. Even if Honda has not yet identified these engines in its preliminary  
4 infringement contentions, how will identification alter the current claim  
5 construction briefing? That is, will additional terms be at issue other than those  
6 terms to which the parties have agreed? Will additional claims be at issue, such  
7 that the Court would be required to look to how terms are used in claims that  
8 have not yet been asserted to inform its decision on claim construction?

- 9 a. If preliminary infringement contentions will not affect either the claim  
10 terms or the claims at issue, what is Coast's best argument that it cannot  
11 complete claim construction briefing without knowing Honda's position  
12 on these engines?

13 **IT IS SO ORDERED.**

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15 Dated: August 28, 2007

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18 JEFFREY S. WHITE  
19 UNITED STATES DISTRICT JUDGE  
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